IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

WEDNESDAY, THE 14TH MARCH 2007 / 23RD PHALGUNA 1928

WP(C).No. 710 of 2007(H)

PETITIONER:

P.SUDHEER KUMAR,
AMBUJA SADANAM,
KADUKKAMKUNNU, PALAKKAD.

BY ADV. SRI.I.DINESH MENON

RESPONDENTS:
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1. THE DISTRICT EXECUTIV E OFFICER,
KERALA MOTOR TRANSPORT WORKERS WELFARE FUND BOARD, MALAPPURAM.

2. THE TAHSILDAR,
REVENUE RECOVERY,
PALAKKAD.

3. G.JAYAN, S/O. GOPALAN,
MEENIKODE HOUSE, METTUPALAYAM,
P.O. CHATHAMANGALAM, PALAKKAD.

BY ADV. SRI.P.RAMAKRISHNAN, SC,KMTWF BOARD
GOVERNMENT PLEADER SRI. BENJAMIN PAUL

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 14/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 710/2007 H

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE PROCEEDINGS DT. 11/4/2001.

EXT.P2. COPY OF THE REVENUE RECOVERY NOTICE DT. 30/10/06 RECEIVED ON 18/12/06.

EXT.P3. COPY OF THE REQUEST DT. 18/12/2006.

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THOTTATHIL B. RADHAKRISHNAN, J.

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WP(C).No. 710 OF 2007-H

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Dated this the 14th day of March, 2007.

JUDGMENT

Heard.

It is not a matter denied by the petitioner that final determination order was issued under the Kerala Motor Transport Workers Welfare Fund Act. That has become final. Under such circumstances, I do not find any ground to interfere with the impugned recovery. The writ petition is, hence, disposed of directing that if the petitioner remits the entire amounts due in terms of the recovery proceedings in four equal monthly instalments payable on or before the last working day of every month commencing from March, 2007, such recovery proceedings shall be dropped. If there is default in remitting any of the instalments as aforesaid,

the benefit of this judgment shall be recalled automatically and the respondents will be at liberty to forthwith proceed with recovery proceedings.

THOTTATHIL B. RADHAKRISHNAN,
JUDGE.

Sha/-